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FACSIMILE TRANSMITTAL**TO:**

Name: Mail Stop ISSUE FEE

Firm: U.S. Patent & Trademark Office

Fax No.: 571-273-2885

Subject: U.S. Patent Application No. 09/497,590

Gary Karlin Michelson

Filed: June 6, 2000

APPARATUS INCLUDING A GUARD MEMBER
HAVING A PASSAGE WITH A NON-CIRCULAR
CROSS SECTION FOR PROVIDING PROTECTED
ACCESS TO THE SPINE

Attorney Docket No. 101.0044-03000

Customer No. 22882

Confirmation No. 7688

FROM:

Name: Thomas H. Martin, Esq.

Phone No.: 330-877-2277

No. of Pages (including this): 71

Date: August 4, 2008

Confirmation Copy to Follow: No

Message:**CERTIFICATE OF TRANSMISSION UNDER 37 CFR 1.8**

I hereby certify that the attached Reply to Office Communication with clean copy of the specification as filed on June 3, 2000 is being facsimile transmitted to the U.S. Patent and Trademark Office on August 4, 2008.


Sandra L. Blackmon

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PATENT
Attorney Docket No. 101.0044-03000
Customer No. 22882

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:)	Confirmation No.: 7688
Gary K. Michelson)	
Serial No.: 09/497,590)	Group Art Unit: 3772
Filed: June 6, 2000)	Examiner: Michael A. Brown
For: APPARATUS INCLUDING A GUARD)	
MEMBER HAVING A PASSAGE)	
WITH A NON-CIRCULAR CROSS)	
SECTION FOR PROVIDING)	
PROTECTED ACCESS TO THE)	
SPINE (as amended))	

Mail Stop ISSUE FEE
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

REPLY TO OFFICE COMMUNICATION

In reply to the Office Communication dated July 30, 2008 and pursuant to the Examiner's request, submitted herewith is a clean copy of the above-identified specification as filed previously submitted on June 3, 2000.

To the extent any extension of time under 37 C.F.R. § 1.136 is required to obtain entry of this reply, such extension is hereby respectfully requested. If there are any fees due under 37 C.F.R. §§ 1.16 or 1.17 which are not enclosed herewith, including any fees required for an extension of time under 37 C.F.R. § 1.136, please charge such fees to our Deposit Account No. 50-3726.

Respectfully submitted,
MARTIN & FERRARO, LLP

Date: August 4, 2008

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